

## UNITED STATES DISTRICT COURT

District of

Delaware

## SUMMONS IN A CIVIL CASE

CODON DEVICES, INC., DUKE UNIVERSITY,  
and the MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY,

Plaintiffs,

v.

BLUE HERON BIOTECHNOLOGIES, INC.,

Defendant.

C.A. No. 07 - 148

TO: Blue Heron Biotechnologies, Inc.  
c/o National Corporate Research, Inc.  
615 South DuPont Highway  
Dover, DE 19901

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon  
PLAINTIFF'S ATTORNEY:

Jack B. Blumenfeld  
Leslie A. Polizoti  
Morris, Nichols, Arsht & Tunnell LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899

an answer to the complaint which is served upon you with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

CLERK

**MAR 14 2007**

DATE

*Evette Watson*

(By) DEPUTY CLERK

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